IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

FRIDAY, THE 13TH APRIL 2007 / 23RD CHAITHRA 1929

WP(C).No. 10780 of 2007(S)

AGAINST THE ORDER IN IA .NO. 2158 OF 2006 IN OS.297/2005 OF FAMILY COURT, KOTTARAKKARA

.....

PETITIONER: 2ND DEFENDANT

RAVEENDRAN, KARALIL VEEDU,
THEKKEVILA, KOLLAM TALUK.

BY ADV. SRI.VINOY VARGHESE KALLUMOOTTILL

RESPONDENT: PLAINTIFF

RAJANI.R.,
D/O.UMADEVI, KRISHNAVILASOM VEEDU,
THAZHAMEL MURI, ANCHAL VILLAGE,
PATHANAPURAM TALUK.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & K.T. SANKARAN, JJ.

W.P.(C) NO. 10780 OF 2007 S

Dated this the 13th day of April, 2007

JUDGMENT

Sankaran, J.

This Writ Petition is filed challenging Ext.P1 order in I.A.No.2158 of 2006, by which the court below allowed the application for amendment of the plaint in O.S.No.297 of 2005. In this Writ Petition, the petitioner/second defendant contends that the nature and character of the suit will be changed if the amendment is allowed. The suit was filed by the respondent claiming various amounts. By the amendment sought to be introduced, another claim for Rs.75,000/- is made. We are of the view that the nature and character of the suit will not be changed by such amendment. The Writ Petition lacks merits and it is accordingly dismissed. The petitioner will be entitled to file additional written statement.

(KURIAN JOSEPH)
Judge

(K.T.SANKARAN)
Judge

ahz/